

**E-FILED on 11/17/09**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JONATHAN JOHNSON,  
Petitioner,  
v.  
JAMES A. YATES, Warden  
State Prison,  
Respondent.

No. C-07-03522 RMW

JAMES A. YATES, Warden of Pleasant Valley  
State Prison,  
Respondent.

On November 7, 2009, the court dismissed this action without prejudice. THEREFORE, IT IS HEREBY ADJUDGED that petitioner take nothing by way of his petition and that judgment be entered in favor of respondent.

DATED: 11/13/09

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*Ronald M Whyte*

1 **Notice of this document has been electronically sent to:**

2 **Counsel for Petitioner:**

3 Lawrence A. Gibbs [gibbslaw@covad.net](mailto:gibbslaw@covad.net)

4 **Counsel for Respondent:**

5 No appearance

7 Counsel are responsible for distributing copies of this document to co-counsel that have not  
8 registered for e-filing under the court's CM/ECF program

10 **Dated:** 11/17/09

11 CCL

12 **Chambers of Judge Whyte**